THE HON'BLE SRI JUSTICE V.ESWARAIAH

W.P.NO.23948 OF 2005

Dt.9.11.2005

Between:

Smt.P.Subba Ratnama

… Petitioner

And

The Joint Collector (Civil Supplies), Prakasam

District, Ongole and another. … Respondents

ORDER:

Heard the learned counsel for the petitioner as well as the learned Government Pleader for Civil Supplies.

Admittedly the petitioner is only a temporary Fair Price Shop dealer of Peddabogulapally Village, C.S.Puram Mandal, Prakasam District. It is stated that even without cancelling her temporary dealership of the Fair Price Shop the respondents denied supplying of the essential commodities and therefore she filed W.P.No.14664 of 2004 which was disposed of on 7.12.2004 directing the respondents to release the essential commodities on usual terms to the petitioner as long as the authorization in her favour is subsisting. While so, the 2nd respondent issued notification dated 1.6.2005 calling for applications for permanent dealership. Aggrieved by the said notification, the

petitioner filed an appeal before the Joint Collector, Prakasam District. The Joint Collector dismissed the appeal on the ground that the petitioner is only a temporary dealer. It is stated that the petitioner is not having authorization and she is not entitled to supply essential commodities. While dismissing the appeal, it was observed that it is open for the petitioner to participate in the selection process notified by the Revenue Divisional Officer, Kandukur as the Fair Price Shop dealership was notified for woman candidates.

In so far as the notification, which has been confirmed by the Joint Collector, I am of the opinion that this Court cannot interfere with the said notification calling upon applications for permanent basis for distribution of essential commodities from the Women Category. But in so far as the action of the respondents in refusing to supply the essential commodities even to the temporary dealer is concerned, I am of the opinion that the said action of the respondents is contrary to the order of this Court in W.P.No.14664 of 2004 dated 7.12.2004. Therefore, it is open for the petitioner to file appropriate Contempt Application against the respondents for disobeying the orders of this Court. The Joint Collector himself permitted the petitioner to participate in the selection process as it is reserved for women category.

The writ petition is accordingly disposed of. No costs.

(V.ESWARAIAH, J.)

9.11.2005

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